APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,548	10/19/2005	Leonard H.D. Poll	GB 030050	4053

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EXAMINER
MCNALLY, KERRI L

ART UNIT	PAPER NUMBER
2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/553,548	POLL, LEONARD H.D.
	Examiner	Art Unit	
	Kerri McNally	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 October 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.　　The disclosure is objected to because of the following informalities: Page 7,

paragraph 2, line 1, of the specification states "Figure 2 is a flowchart...". Examiner

considers this a typographical error and should be fixed to read, "Figure 3 is a

flowchart...". Appropriate correction is required.

Claim Rejections - 35 USC § 102

1.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

2.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1.　　Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by US

Patent Application Publication No. 2002/0087649 (Horvitz).

Considering claim 1, Horvitz discloses a system for reducing the disruptiveness of

notifications including:

- Notifications from one or more sources (receiving an event notification)

  (see Fig. 1, items 12, 14, 16) and paragraph [0052], lines 3-4).

- Information from one or more context sources monitored to enable notification decision making within the notification agent. The context sources can include calendars, location information, and time (acquiring information relating to the users likely current activity) (see Fig. 1, items 28 and 40 and paragraph [0053], lines 13-19).

- A notification preferences user interface is provided to enable a user to adjust the notification profile that is accessed by the notification agent (acquiring filtering information) (see Fig. 1, items 20, 22, 28 and paragraph [0052], lines 9-11).

- Notification agent receives input from my notification preferences and from the context monitor and based upon this information (comparing the users likely current activity with the filtering information) the user can be notified presently or the notification can be deferred (outputting an alert to the user dependent upon the comparison of the users likely current activity with the filtering information) (see Fig. 1, items 20, 40, 48, 30, 32, 36 and paragraph [0050], lines 14-17).

Considering claims 2 and 3, Horvitz discloses that notifications from one or more sources (receiving an event notification) can be labeled and/or assigned a high, normal, or low urgency value (classifying the event notification as being of a predetermined type) (the predetermined type is one of high, medium, or low priority) (paragraph [0052], lines 3-6).

Considering claim 4, Horvitz discloses that the context monitor or a computer event sensing system (acquiring information relating to the users likely current activity) can monitor user activity on a computer (accessing information on the current state of one or more user devices) (paragraph [0054], lines 11-12] and paragraph [0055], lines 1-2]).

Considering claims 5 and 6, Horvitz discloses a notification agent that acquires a user preference profile (acquiring filtering information comprises retrieving a file) (the file is a user profile) (see Fig. 1, items 20, 28 and Fig. 2). Examiner considers that the user preference profile is a complete, named collection of information, and thus is considered by examiner to be a file.

Considering claims 7 and 8, Horvitz discloses that based upon the likely available states and the classification, user's can be notified of alerts presently or the notification can be deferred until a more convenient time for the user. The context monitor continually monitors conditions and notifys the notification agent of changes (following the step of comparing the users likely current activity with the filtering information, if no alert is output, the method further comprises storing the alert) (outputting the stored alert if the users likely current activity has changed) (see Fig. 1, items 30, 32, 36 and paragraph [0050], lines 14-16 and paragraph [0053], lines 13-17). Examiner considers that since information can be kept for a time period, the information is stored.

Considering claim 9, Horvitz discloses a system for reducing the disruptiveness of notifications where notifications from one or more sources are received into the system (receiver for receiving an event notification). The system also includes a notification agent (processor) that receives information from the context monitor about user's status (acquiring information relating to the users likely current activity), receives user preferences (acquiring filtering information), and uses both sets of information to decide whether or not to presently output an alert to a user or to defer the alert until later (comparing the users likely current activity with the filtering information). The notification agent also outputs the alert to a client/sink (output device for outputting an alert to the user dependent upon the comparison of the users likely current activity with the filtering information) (Fig. 1, items 20, 22, 28, 12, 14, 16, 30, 32, 36, and MyNotifications and paragraph [0050], lines 14-17).

Considering claims 10 and 11, Horvitz discloses a system where notifications from one or more sources (receiver receiving an event notification) can be labeled and/or assigned a high, normal, or low urgency value by an automated source (processor classifying the event notification as being of a predetermined type) (the predetermined type is one of high, medium, or low priority) (paragraph [0052], lines 3-6).

Considering claim 12, Horvitz discloses that the notification agent (processor) receives input from context monitor or a computer event sensing system (acquiring information relating to the users likely current activity) which monitors user activity on a computer

(accessing information on the current state of one or more user devices) (paragraph [0054], lines 11-12] and paragraph [0055], lines 1-2]).

Considering claims 13 and 14, a notification agent (processor) that acquires a user preference profile (acquiring filtering information and retrieving a file) (the file is a user profile) (see Fig. 1, items 20, 28 and Fig. 2). Examiner considers that the user preference profile is a complete, named collection of information, and thus is considered by examiner to be a file.

Considering claim 15, Horvitz discloses that alert messages that are not presently sent to the user because of low priority are sent to a notification sink for storage (a storage device for storing the alert) (see Fig. 10, items 314, 318).

Conclusion

2.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US Patent No. 6,968,179 (De Vries), US Patent Application Publication No. 20020173304 (Horompoly), US Patent No. 6,703,930 (Skinner), US Patent No. 7,056,217 (Pelkey et al.), US Patent No. 6,819,256 (Hampton), US Patent Application Publication No. 20040205134 (Digate et al.), US Patent No. 6,871,214 (Parsons et al.), US Patent No. 6,654,787 (Aronson et al.), US Patent No. 6,617,969 (Tu et al.), US Patent No. 6,980,993 (Horvitz et al.), US Patent No. 5,999,932 (Paul), and US Patent No. 6,970,552 (Hahn et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kerri McNally whose telephone number is 571-270-1840. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chip Garber can be reached on 571-270-1202. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KLM

DENNIS-DOON CHOW
PRIMARY EXAMINER